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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, PLAINTIFF-APPLICANT, V. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, DEFENDANT.	NO. 08-01789 (SMB) SIPA LIQUIDATION (SUBSTANTIVELY CONSOLIDATED)
IN RE: BERNARD L. MADOFF, DEBTOR.	
IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC PLAINTIFF V. FEDERICO CERETTI, ET AL. DEFENDANTS.	Adv. Pro. No. 09-1161 (SMB)

NOTICE OF MOTION TO DISMISS FOURTH AMENDED COMPLAINT

PLEASE TAKE NOTICE that defendants, Kingate Global Fund, Ltd. (“Kingate Global”) and Kingate Euro Fund, Ltd. (“Kingate Euro” and together with Kingate Global, the “Kingate Funds”), by and through the Kingate Funds’ undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 723, One Bowling Green, New York, NY 10004, on **November 19, 2014 at 10:00 am**, for entry of an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, incorporated into the above-captioned adversary proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure, dismissing all counts in the Fourth Amended Complaint as asserted against the Kingate Funds (the “Motion”).

PLEASE TAKE FURTHER NOTICE that any responses or objections to the Motion must: (i) be in writing, conform to the applicable rules of this Court, and be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, NY 10004, in accordance with General Order 242, by no later than **September 19, 2014 at 5:00 pm** (with a courtesy copy to the Chambers of the Honorable Stuart M. Bernstein); and (ii) served upon Quinn Emanuel Urquhart & Sullivan, LLP, 51 Madison Avenue, 22nd Floor, New York, NY 10010, Attn: Susheel Kirpalani, Robert S. Loigman, Rex Lee, and Xochitl S. Strohbehn. Any objections must specifically state the interest that the objecting party has in this proceeding and the specific basis of any objection to the Motion.

PLEASE TAKE FURTHER NOTICE that replies to objections, if any, must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **October 31, 2014** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein).

PLEASE TAKE FURTHER NOTICE that notice of the Motion will be provided by U.S. Mail or email to all plaintiffs in this adversary proceeding pursuant to the Order Establishing Notice Procedures (Case No. 08-1789, Dkt. No. 4560). The Kingate Funds submit that no other or further notice is required.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted.

Dated: New York, New York
July 18, 2014

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

/s/ Robert S. Loigman

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